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Attorney Docket No 15966-601 (Cura 101)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Bonnie Gould Rothberg, et al.
ASSIGNEE : CURAGEN CORP.
SERIAL NUMBER : 09/717,321
FILING DATE : November 20, 2000
FOR : METHODS OF IDENTIFYING TOXIC AGENTS USING NSAID-INDUCED
DIFFERENTIAL GENE EXPRESSION IN LIVER

EXAMINER : Not Yet Assigned
ART UNIT : 1645

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Assistant Commissioner for Patents
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TRANSMITTAL

In response to the Office Action mailed on February 26, 2002, attached please find:

1. Preliminary Amendment and Response to Notice to Comply with Sequence Listing Requirement Under 37 C.F.R. §§ 1.821 – 1.825 (2 pgs.);
2. Copy of Notice to Comply with Sequence Listing Requirement (1 pg);
3. Petition for Extension of Time (1 pg);
4. Statement in Support of Substitute Specification (1 pg);
5. Substitute Specification (82 pgs);
6. Substitute Paper Copy of the Sequence Listing (22 pgs)
7. Substitute Sequence Listing (1 diskette);
8. Statement in Support of Computer Readable Form Submission Under 37 C.F.R. § 1.821(f) (1 pg);
9. Check (#12578) in the amount of \$55.00 in payment of one-month extension; and,
10. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at telephone (617) 542-6000.

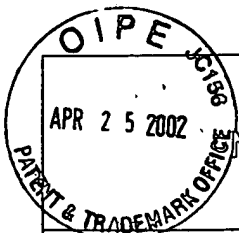
The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account No. 50-0311 (Reference No. 15966-601 CURA-101)

Respectfully submitted,

[Signature]
Ivor R. Elrifi, Reg. No. 52,529
Cynthia Kozakiewicz, Reg. No. 42,764
Attorneys for Applicants
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Dated: April 25, 2002





Notice to Comply

Applicati n N .

09/717, 321

Applicant(s)

ROTHBERG

Examiner

LDEB

Art Unit

1036

COPY

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set in the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (Jun 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: SEE CONTINUATION ON NEXT PAGE

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Rothberg, *et al.*

SERIAL NUMBER: 09/717,321

EXAMINER: B. Loeb

FILING DATE: November 20, 2000

ART UNIT: 1636

FOR: METHODS OF IDENTIFYING TOXIC AGENTS USING NSAID-INDUCED
DIFFERENTIAL GENE EXPRESSION IN LIVER

**STATEMENT IN SUPPORT OF SUBSTITUTE SPECIFICATION
(37 CFR 1.125(b)(1))**

Pursuant to 37 CFR 1.125(b)(1), I hereby state that the content of the substitute specification and the specification filed on November 20, 2000 are the same. Applicants hereby submit this substitute specification in response to the Notice to Comply mailed on February 26, 2002, which specifically requested the inclusion of SEQ ID NOs in the specification to correspond to the submitted sequence listing and place the application in compliance with 37 CFR § 1.821-1.825. The addition of SEQ ID NOs throughout the specification is the only amendment made at this time. Thus, this submission includes no new matter.

Applicants also submit herein a Petition for a One-Month Extension of Time and the appropriate fee. The response is due on or before Friday April 26, 2002. Applicants believe that no additional fee is required for the filing of the present submission. However, the Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment, to Deposit Account No. 50-0311, Ref. No.15966-601 (CURA-101).

Respectfully submitted,

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Dated: April 25, 2002